

Appl. No. 09/372,459
Amendment and/or Response
Reply to Office action of 20 June 2003

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REMARKS / DISCUSSION OF ISSUES

Claims 1, 2, and 5-12 are now pending in the application. Claims 7-12 are newly added.

Applicant thanks the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority documents.

The Office action objects to the drawings under 37 CFR 1.83(a). The applicant respectfully traverses this objection.

The Office action cites the first sentence of 37 CFR 1.83(a), but omits the second: "However, conventional features disclosed in the description and claims, where their detailed *illustration is not essential for a proper understanding* of the invention, should be illustrated in the drawing in the form of a graphical drawing symbol or a labeled representation (c.g., a labeled rectangular box). The Examiner's attention is requested to MPEP 2106.01: "As a general rule, where software constitutes part of a best mode of carrying out an invention, *description* of such a best mode *is satisfied by a disclosure of the functions* of the software. This is because, normally, writing code for such software is within the skill of the art, not requiring undue experimentation, once its functions have been disclosed. . . . *[F]low charts* or source code listings *are not a requirement* for adequately disclosing the functions of software." *Fonar Corp.*, 107 F.3d at 1549, 41 USPQ2d at 1805 (citations omitted).

The applicant discloses the functions that are to be provided by the illustrated "AAC" block of the sole figure at pages 3 through 5 of the applicants' specification. These functions, and their equivalents, are preferably embodied in software, and need no further illustrations for one of ordinary skill in the art to properly understand the invention.

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Claim 2 is amended for non-statutory reasons to rewrite the claim in independent form, and to replace the phrase "to maintain a white reproduction to a large extent" with an equivalent phrase "to substantially maintain a white reproduction". Claim 2 is not narrowed in scope and no new matter is added.

The Office action rejects claim 2 under 35 U.S.C. 112, second paragraph for the inclusion of the term "a large extent". Claim 2 is amended to replace this term with an equivalent term "substantially", which is commonly used and accepted in U.S. patent practice.

The Office action also asserts that the term "white reproduction" is not defined in the specification. The applicant respectfully traverses this assertion, and requests the Examiner's attention to page 1, lines 13-25 of the applicant's specification, wherein white reproduction is presented, including an example set of equations that may be used to represent white reproduction.

The Office action indicates that claim 2 is allowable upon overcoming the rejection under 35 U.S.C. 112, second paragraph. The applicant thanks the Examiner for this considered opinion, and trusts that the amendment and remarks above are sufficient to place claim 2 in condition for allowance.

The applicant again respectfully traverses the restriction of claims 3 and 4 in this application, in view of the pending allowance of claim 2. Claims 3 and 4 apply the same equation to adapt the color matrix parameters, the difference being how the equation is applied. The applicant respectfully maintains that a search for the use of the claimed adaptation equation of claim 2 would necessarily have uncovered the use of this same adaptation equation with respect to claims 3 and 4. Thus, the examination of claims 3 and 4 does not impose an undue burden, given that the search for the use of the claimed adaptation equation has been performed.

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The Office action rejects claims 1 and 5 under 35 U.S.C. 102(b) over Bestenreiner et al. (USP 4,605,954, hereinafter Bestenreiner). The applicant respectfully traverses this rejection.

Both claim 1 and claim 5 specifically recite adapting "*at least two* color signal matrix parameters" to correspond to an adjustment of a *single* color signal matrix related value. Bestenreiner teaches adapting a *single* color signal matrix parameter (the green signal), to correspond to an adjustment of *two* color signal matrix related values (the red signal and the blue signal). (Bestenreiner, Abstract et al.)

Because Bestenreiner does not teach adapting two color matrix parameters after adjusting a single color matrix value, as specifically claimed in claims 1 and 5, the applicant respectfully requests the Examiner's reconsideration of the rejection of claims 1 and 5 under 35 U.S.C. 102(b) over Bestenreiner.

The Office action rejects claims 1 and 5 under 35 U.S.C. 102(b) over Spaulding et al. (USP 6,269,184, hereinafter Spaulding). The applicant respectfully traverses this rejection.

Spaulding teaches a translation from one color space to another, by having the user identify a RGB (red-green-blue) value and mapping it to another set of values, such as another RGB value, or a set of CMY(K) values. Spaulding does not address the use of color matrix parameters, and hence cannot be said to teach the adapting of two color matrix parameters based on an adjustment of a single matrix parameter.

Because Spaulding does not teach the adapting of two color matrix parameters based on an adjustment of a single matrix parameter, as specifically claimed by the applicant, the applicant respectfully request the Examiner's reconsideration of the rejection of claims 1 and 5 under 35 U.S.C. 102(b) over Spaulding.

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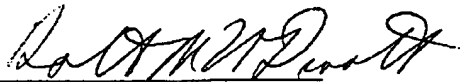
The Office action rejects claim 6 under 35 U.S.C. 103(a) over Bestenreiner. The applicant respectfully traverses this rejection, based on the remarks above regarding Bestenreiner.

Claim 6 specifically recites a camera that includes a means for adapting at least two color matrix parameters based on an adjustment of a first color matrix value. Because Bestenreiner neither teaches nor suggests a camera that includes a means of adapting two color matrix parameters based on an adjustment of a first color matrix value, the applicant respectfully requests the Examiner's reconsideration of the rejection of claim 6 under 35 U.S.C. 103(a) over Bestenreiner.

Claims 7-12 are added to create additional dependent claims to apparatus claims 5 and 6, corresponding to the dependent method claims 2-4.

In view of the foregoing, the applicant respectfully requests that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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